GOVERNMENT OF INDIA
PERSONNEL,PUBLIC GRIEVANCES AND PENSIONS
LOK SABHA

UNSTARRED QUESTION NO:5706
ANSWERED ON:16.05.2007
ADMINISTRATIVE CONTROL OVER IAS/ IPS
Patel Shri Jivabhai Ambalal;Singh Deo Smt. Sangeeta Kumari

Will the Minister of PERSONNEL,PUBLIC GRIEVANCES AND PENSIONS be pleased to state:

(a) whether the Union Government or the State Governments exercise administrative control over the IAS and IPS officers posted in the States;

(b) the role of the Union Government in the matter of such officers if the administrative control vests with the State Government;

(c) the provisions and the procedure to be followed in case an IPS officer posted in the State is found guilty in a case of corruption; and

(d) the Union Government-wise and State Government-wise details of the cases regarding which State Governments or the Union Government have taken action against IAS and IPS officers during the last three years?

Answer

MINISTER OF STATE IN THE MINISTRY OF PERSONNEL,PUBLIC GRIEVANCES AND PENSIONS AND MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFA1RS.(SHRI SURESH PACHOURI)

(a)&(b): The IAS and IPS officers, while working in the States, are under the administrative control of the State Governments. However, in certain matters, such as negotiating for or undertaking any employment, taking up any employment during leave of any kind, approval of the Union Government is required. Further, the power to impose the penalty of compulsory retirement, removal or dismissal from Service lies only with the Union Government.

(c) In terms of the provisions of the All India Services (Discipline &. Appeal) Rules, 1969 and the Ail India Services (Death-cum-Retirement Benefit) Rules, 3958, State Governments are competent to initiate action against serving members of the All India Services for any irregularity or malpractice committed by them while serving in the State and to impose penalty. However, a reference is to be made to the Union Government if it is proposed to impose one of the major penalties of compulsory retirement, removal and dismissal from service. Approval of the cadre controlling authority in the Union Government is also required for initiation of proceedings as well as for imposition of the penalty of cut in pension on a retired officer. Further,the Cadre Controlling Authority in the Union Government alone is competent to accord sanction for prosecution of an officer of All India Service under the Prevention of Corruption Act, 1988.The Union Government can also initiate disciplinary proceedings and impose appropriate penalties on serving/retired All India Service officers for irregularities or malpractices committed by them while serving in the Union Government.

(d) A Statement is annexed. Ministry of Home Affairs has stated that the information in respect of IPS officers serving in the State is not maintained centrally.